

REFERENCE TITLE: illegally entering Arizona; trespass

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

## **HB 2589**

Introduced by  
Representatives Pearce, Gorman, Murphy, Pierce, Smith: Anderson, Biggs,  
Boone, Gray C, Groe, Nichols, Stump, Yarbrough, Senators Gould, Harper,  
Johnson, Martin, Verschoor

AN ACT

AMENDING TITLE 13, CHAPTER 15, ARIZONA REVISED STATUTES, BY ADDING SECTION  
13-1509; RELATING TO CRIMINAL TRESPASS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 13, chapter 15, Arizona Revised Statutes, is amended  
3 by adding section 13-1509, to read:  
4 13-1509. Trespassing by illegal aliens; samples of blood or  
5 other bodily substances; fingerprinting;  
6 classification  
7 A. IN ADDITION TO ANY VIOLATION OF FEDERAL LAW, IT IS UNLAWFUL FOR A  
8 PERSON WHO IS A CITIZEN OF ANY COUNTRY OTHER THAN THE UNITED STATES TO ENTER  
9 INTO OR BE ON ANY PUBLIC OR PRIVATE LAND IN THIS STATE IF, AT THE TIME OF THE  
10 COMMISSION OF THE OFFENSE, THE PERSON IS IN VIOLATION OF 8 UNITED STATES CODE  
11 SECTION 1325.  
12 B. THE ARRESTING AUTHORITY SHALL SECURE A SUFFICIENT SAMPLE OF BLOOD  
13 OR OTHER BODILY SUBSTANCES FOR DEOXYRIBONUCLEIC ACID TESTING AND EXTRACTION  
14 AND SHALL FINGERPRINT A PERSON WHO IS ARRESTED FOR A VIOLATION OF THIS  
15 SECTION. THE ARRESTING AUTHORITY SHALL TRANSMIT THE SAMPLE TO THE DEPARTMENT  
16 OF PUBLIC SAFETY.  
17 C. AT THE DISCRETION OF THE ARRESTING AUTHORITY, THE PERSON MAY BE  
18 DEPORTED TO THE PERSON'S COUNTRY OF ORIGIN, TRANSFERRED TO THE FEDERAL AGENCY  
19 WITH JURISDICTION OR REFERRED FOR PROSECUTION.  
20 D. A VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR, EXCEPT THAT A  
21 SECOND OR SUBSEQUENT VIOLATION IS A CLASS 4 FELONY.